

1 WILLIAM J. THOMAS, JR., Bar No. 67798  
HEATHER C. BAUGH, Bar No. 244850  
2 ANTHONY J. VAN RUITEN, Bar No. 256087  
BEST BEST & KRIEGER LLP  
3 400 Capitol Mall, Suite 1650  
Sacramento, California 95814  
4 Telephone: (916) 325-4000  
Telecopier: (916) 325-4010

5 Attorneys for Intervenor  
6 California Cattlemen's Association

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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 WESTERN WATERSHEDS PROJECT, *et*  
14 *al.*,

15 Plaintiffs,

16 v.

17 UNITED STATES FOREST SERVICE,

18 Defendants.

Case No. 08-CV-1460 PJH

CALIFORNIA CATTLEMEN'S  
ASSOCIATION'S NOTICE OF  
ADDITIONAL PARTIES FOR CALIFORNIA  
CATTLEMEN'S ASSOCIATION MOTION  
TO INTERVENE

Date: July 23, 2008

Time: 9:00 a.m.

Ctrm: 3

Judge: Honorable Judge Phyllis J. Hamilton

Complaint filed: March 14, 2008

23 CALIFORNIA CATTLEMEN'S  
24 ASSOCIATION,

25 Intervenor.  
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NOTICE OF ADDITIONAL PARTIES

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Best Best & Krieger LLP has been directed by additional livestock interests to join the California Cattlemen's Association's ("CCA") Motion to Intervene in the above-entitled action, currently scheduled for hearing on July 23, 2008. These parties will allow CCA to take the lead role in briefing and responding to the Court as to the prospective rights and interests of all grazers in this action.

The additional parties include Arizona Cattle Grower's Association, Colorado Cattlemen's Association, Idaho Cattlemen's Association, Washington Cattlemen's Association, Oregon Cattlemen's Association, Wyoming Stock Grower's Association, Utah Cattlemen's Association, California Woolgrower's Association, Colorado Woolgrower's Association, and the Public Lands Council. These parties will not change the scope or arguments made in the original motion filed by CCA, as they have the same underlying interests and engage in the same practices on their allotments in Arizona, Washington, Oregon, Colorado, Idaho, Utah, and Wyoming. Public Lands Council is also a national grazing association that assists local and state associations in forming coalitions and gaining support in the political process.

The Complaint was filed on March 14, 2008 against the United States Forest Service ("USFS") over the issuance of grazing permit allotments using the Appropriations Act Rider categorical exclusion process. Subsequent to the original filing, plaintiffs amended the Complaint on May 30, 2008, wherein they significantly expanded the challenged allotments from 46 to 386, involving selected allotments in Idaho, Utah, Washington, Oregon, Colorado, Arizona, and Wyoming.

The National Cattlemen's Beef Association/Public Lands Council semi-annual meeting was held July 17-18, 2008 in Denver. At that meeting, based on the additional allegations made by plaintiffs in the First Amended Complaint, the groups decided to join the CCA in intervening in the recently expanded case.

The interests of the other states' livestock associations are identical to those of CCA as the

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1 impact on permittees will be the same regardless of the location of the allotment. In the interests  
2 of judicial economy the above named parties should be added to CCA's Motion to Intervene. The  
3 additional allotments representing interests outside of California were not included in the original  
4 Complaint and unknown to CCA at the time it filed its Motion to Intervene. The interests of all  
5 parties grazing under USFS allotments are unified in this action. Therefore, the expansion in the  
6 named intervenors will not expand the legal issues or arguments in the case but will enable the  
7 intervenors to address factual issues relevant to the plaintiffs' challenges on allotments in those  
8 states. This will be particularly important relative to specific allotments in Utah, Wyoming and  
9 Idaho which have been identified along with certain California allotments and will be the focus of  
10 an initial hearing on CCA's Motion to Intervene, scheduled for July 23, 2008.

11 This office of Best Best & Krieger LLP was just notified of the interest in this case by  
12 these other state livestock associations over the weekend. As a result, counsel wanted to provide  
13 the Court and the related parties this notice on a timely basis.

14 Counsel anticipates the Court may want to address these inquiries relative to such  
15 expanded intervention:

16 1) Will the additional named parties expand the issues of the case, as  
17 addressed above? The answer is no, these additional named parties will not expand the issues of  
18 the case.

19 2) Will the additional named parties simplify or complicate the administration  
20 of the case? The inclusion of the additional named parties will eliminate additional filings by  
21 other state livestock interests. Allowing the expansion of intervenors to include these additional  
22 named parties will assure that there will not be other intervenors separately filing with the Court.

23 3) Will CCA be able to address all the factual issues of the case? To the  
24 extent that there was a concern that CCA would not be able to factually respond as to issues  
25 involving allotments in Idaho, Utah, Wyoming, and the other states the expansion of the  
26 intervenors to include the additional named parties will alleviate any such concern.

27 On balance, the expansion of the livestock intervenors to include the additional named  
28 parties mirrors the expansion of the case by plaintiffs and will further the administration of justice

1 without complicating or expanding issues before the court.

2  
3 Dated: July 21, 2008

BEST BEST & KRIEGER LLP

4  
5 By: /s/ William J. Thomas, Jr.

6 William J. Thomas, Jr.

7 Heather C. Baugh

8 Anthony J. Van Ruiten

9 Attorneys for Intervenor

10 California Cattlemen's Association